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James R. Glidewell Dental Ceramics, Inc.
d/b/a Glidewell Laboratories

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

JAMES R. GLIDEWELL DENTAL
CERAMICS, INC. dba GLIDEWELL
LABORATORIES, a California
corporation.

Plaintiff,

VS.

KEATING DENTAL ARTS, INC.,

Defendant.

AND RELATED COUNTERCLAIMS.

Case No. SACV11-01309-DOC(ANx)

**[PROPOSED] ORDER GRANTING
JAMES R. GLIDEWELL DENTAL
CERAMICS, INC.'S NOTICE OF
MOTION AND MOTION IN LIMINE
#4 TO EXCLUDE THE PROPOSED
EXPERT TESTIMONY OF
KEATING DENTAL ARTS, INC.'S
EXPERT LORI BOATRIGHT**

Hearing

Date: January 28, 2013
Time: 8:30 a.m.
Ctrm: 9D, Hon. David O. Carter

Pre-Trial Conf.: January 28, 2013
Jury Trial: February 26, 2013

ORDER

Plaintiff James R. Glidewell Dental Ceramics, Inc.’s (“Glidewell”) Motion in Limine No. 4 to preclude the proposed testimony of Keating Dental Arts, Inc.’s (“Keating”) expert Lori Boatright, came before this Court for hearing during the Pretrial Conference on January 28, 2013. All parties were represented by counsel.

Having considered the evidence and arguments set forth by the parties in the papers submitted and at the hearing, and for good cause shown,

IT IS HEREBY ORDERED that: Glidewell's Motion *In Limine* No. 4 is **GRANTED**. Keating shall not introduce testimony from its expert, Lori Boatright, (i) that the Trademark Examiner did not properly examine the BruxZir mark and would have denied registration had different procedures been followed, (ii) that the terms "Bruxzir" or "bruxer" were or are generic terms for zirconia restoration products, and (iii) that constitutes or includes opinions as to subjects, including but not limited to opinions regarding the presence or absence of likelihood of confusion between BruxZir and KDZ Bruxer, beyond that which were included in her expert report.

Dated:

Hon. David O. Carter
United States District Judge

1 ***Glidewell Laboratories v. Keating Dental Arts, Inc.***
2 United States District Court, Central, Case No. SACV11-01309-DOC (ANx)

3 **CERTIFICATE OF SERVICE**

4 I hereby certify that on January 17, 2013, I electronically filed the document
5 described as **[PROPOSED] ORDER GRANTING JAMES R. GLIDEWELL**
6 **DENTAL CERAMICS, INC.'S NOTICE OF MOTION AND MOTION IN**
7 **LIMINE #4 TO EXCLUDE THE PROPOSED EXPERT TESTIMONY OF**
8 **KEATING DENTAL ARTS, INC.'S EXPERT LORI BOATRIGHT** the Clerk
9 of the Court using the CM/ECF System which will send notification of such filing
10 to the following:

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38 Dated: January 17, 2013

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